

AUTHORIZATION TO DISCHARGE UNDER CLEAN WATER ACT SECTION 301 (h)  
MODIFIED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. §1251 et seq.; the "CWA"), and Title 38 Maine Revised Statutes § 414-A et seq.,

**Bayville Village Corporation –ME0101664**

is authorized to discharge from a facility located at

**Bayville Village  
Boothbay Harbor, Maine**

to receiving water named

**Linekin Bay**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective thirty days from date of signature by the Maine Department of Environmental Protection.

This permit and the authorization to discharge shall expire at midnight, five (5) years from the effective date.

This permit supersedes the NPDES permit issued on March 28, 1986. This permit consists of the Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits revised January 16, 2001, copy attached, and the attached Special Conditions, including any effluent limitations and monitoring requirements.

**COPY-SIGNED ORIGINAL ON FILE AND  
AVAILABLE FROM EPA REGION OFFICE**

Signed this 4th day of March, 2002

Signed this 12th day of March, 2002

/signature/

/signature/

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Linda M. Murphy, Director  
Office of Ecosystems Protection  
Environmental Protection Agency  
Boston, Massachusetts

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Martha Kirkpatrick, Commissioner  
Maine Department of Environmental  
Protection  
Augusta, Maine

IN THE MATTER OF

BAYVILLE VILLAGE CORPORATION )  
BOOTHBAY HARBOR, LINCOLN COUNTY )  
PUBLICLY OWNED TREATMENT WORKS )  
ME0101664 )  
W002573-5L-C-R )  
**APPROVAL** )

PROTECTION AND IMPROVEMENT  
OF WATERS  
  
WASTE DISCHARGE LICENSE  
**RENEWAL**

Pursuant to the provisions of the Federal Water Pollution Control Act, Title 33 USC, Section 1251, et seq., and 38 M.R.S.A., Section 414-A et seq., and applicable regulations, the Department of Environmental Protection has considered the application of the BAYVILLE VILLAGE CORPORATION (BVC), with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**APPLICATION SUMMARY**

The applicant has applied for renewal of Department License #W002573-58-B-R, dated January 26, 1996, which approved the discharge of 0.015 million gallons per day (MGD) of primary treated sanitary wastewater from a primary treatment facility to Linekin Bay, Class SB, in Boothbay Harbor, Maine.

**PERMIT AND LICENSE SUMMARY**

By this permit and license renewal, the effluent limitations for flow, fecal coliform, total residual chlorine, and mass limits for biochemical oxygen demand (BOD) and total suspended solids (TSS) are being carried forward from the previous WDL based on a flow of 0.015 MGD. This permitting action also establishes a concentration limit for BOD, TSS, and monitoring requirements in order to maintain an effective reduction of microorganisms to levels below those specified in Special Condition A, "Effluent Limitations and Monitoring Requirements."

This permitting action requires **seasonal** monitoring at a monitoring frequency of one sample per **month** for BOD and TSS parameters and fecal coliform bacteria. This permitting action also **carries forward the existing three samples per week** monitoring frequency for total residual chlorine **and pH**.

**CONCLUSIONS**

BASED on the findings in the attached Fact Sheet dated January 17, 2002, and subject to the Conditions listed below, the Department makes the following conclusions:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.
3. The provisions of the State's antidegradation policy, 38 MRSA Section 464(4)(F), will be met, in that:
  - (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;

- (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;
  - (c) The standards of classification of the receiving water body are met or, where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
  - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected; and
  - (e) Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharge will be subject to effluent limitations that require application of best practicable treatment.

#### **ACTION**

THEREFORE, the Department APPROVES the above noted application of the BAYVILLE VILLAGE CORPORATION, to discharge up to 0.015 MGD of primary treated wastewaters to receiving waters subject to tidal action in Linekin Bay, Class SB in Boothbay Harbor, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

“Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits,” revised January 16, 2001, copy attached.

The Special Conditions, on the following pages.

The term of this permit is five (5) years from the date of signature.

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
MARTHA KIRKPATRICK, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: March 28, 2001.

Date of application acceptance: April 17, 2001 .

Date filed with Board of Environmental Protection \_\_\_\_\_  
This order prepared by David Silver, Bureau of Land & Water Quality and David Cochrane,  
Environmental Protection Agency  
W25735Lc 11/14/01

## SPECIAL CONDITIONS

### EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date of the permit and lasting through expiration, the permittee is authorized to discharge treated municipal waste waters from Outfall 001 to Linekin Bay and must monitor and limit discharges as follows:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirement</u>	
	<u>Monthly Average</u> (Quantity or as specified)	<u>Daily Maximum</u>	<u>Monthly Average</u> (Concentration)	<u>Daily Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow [50050]	0.015 MGD [03]	---	---	---	Continuous [CN]	Recorder [RC]
BOD in Effluent [00310]	24.5 #/day [26]	Report #/day [26]-	203 mg/L <sup>(2)</sup> [19]	Report, mg/L [19]	<b>1/Month</b> [01/30]	Composite [24]
BOD % Removal <sup>(1)</sup> [50076]	30 % [23]	---	30 % [23]	---	---	---
TSS in Effluent [00530]	17.5 #/day [26]	Report #/day [26]-	145 mg/L [19]	Report, mg/L [19]	<b>1/Month</b> [01/30]	Composite [24]
TSS % Removal <sup>(1)</sup> [81011]	50 % [23]	---	50 % [23]	---	---	---
Settleable Solids [00545]	---	---	Report (ml/L) [25]	Report (ml/L) [25]	<b>3/Week</b> [03/07]	Grab [GR]
Fecal Coliform Bacteria [31615]	---	---	15/100 ml [30]	50/100ml [30]	<b>2/Month</b> [03/07]	Grab [GR]
Total Residual Chlorine [50060]	---	---	---	1.0 mg/L [19]	<b>3/Week</b> [03/07]	Grab [GR]
pH (Std. Units) [00400]	The pH shall not be less than 6.0 or greater than 9.0 at any time.				<b>3/Week</b> [03/07]	Grab [GR]

The italicized numeric values bracketed in the table above are code numbers that Department personnel use to code the monthly Discharge Monitoring Reports (DMR's). Note: the symbol “#” means pounds. Note: Monitoring requirements are only in effect between April 1 to October 30 annually. Total Residual Chlorine and Fecal Coliform limits are in effect between May 15 to September 30 annually

Samples for BOD and TSS influent concentration shall be collected at the pump station wet well.

## **SPECIAL CONDITIONS**

### **A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Cont'd)**

#### **FOOTNOTES**

The permittee shall achieve at least 30% removal for BOD and 50% removal for TSS.

2. Fecal Coliform Bacteria and total residual chlorine monitoring requirements are seasonal and apply between May 15<sup>th</sup> and September 30<sup>th</sup> of each year. Bacteria and chlorine residual samples are collected from the dechlorination chamber. The Department reserves the right to require resumption of year round disinfection to protect the health, safety and welfare of the public.
3. Total Residual Chlorine (TRC) sampling and analysis shall be performed using any method described in 40 Code of Federal Regulations (CFR) part 136 alternative methods approved by EPA in accordance with the procedures in 40 CFR Part 136, or as otherwise specified.

### **NARRATIVE EFFLUENT LIMITATIONS**

The effluent shall not contain a visible oil sheen, foam or floating solids at any time.

The effluent shall not contain materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the usages designated by the classification of the receiving waters.

The discharge shall not cause visible discoloration or turbidity in the receiving waters which would impair the usages designated by the classification of the receiving waters.

Notwithstanding specific conditions of this permit the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

### **C. DISINFECTION**

Disinfection shall be used to reduce the concentration of bacteria to or below the level specified in the "Effluent Limitations and Monitoring Requirements" section of this permit. If chlorination and dechlorination are used as the means of disinfection, an approved chlorine disinfection system must be utilized. The total residual chlorine in the effluent shall at no time cause any demonstrable harm to aquatic or marine life in the receiving waters. The final effluent concentration of total residual chlorine, prior to dechlorination if present, must at all times be maintained at a concentration greater than test method detection limits in order to provide effective reduction of bacteria to levels below those specified in Special Condition A, "Effluent Limitations and Monitoring Requirements," (15 colonies per 100 ml, monthly average)(50 colonies per 100 ml, daily maximum) above.

### **D. TREATMENT PLANT OPERATOR**

The Treatment Facility must be operated by a person holding a **Grade I** certificate pursuant to Title 32 M.R.S.A., Section 4141 et Seq. All proposed contracts for facility operation by any person must be approved by the Department before the permittee may engage the services of the contract operator.

## E. MONITORING AND REPORTING

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Forms (DMR's) provided by the Department and **postmarked no later than the fifteenth day of the month following the completed reporting period.** A signed copy of the DMR's and all other reports required herein shall be submitted to the following address:

Department of Environmental Protection  
Bureau of Land and Water Quality  
Central Maine Regional Office  
Augusta, Maine 04333

## F. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee shall notify the Department and EPA of the following:

Any introduction of pollutants into the waste water collection and treatment system from an indirect discharger in a primary industrial category discharging process waste water; and

Any substantial change in the volume or character of pollutants being introduced into the waste water collection and treatment system by a source introducing pollutants to the system at the time of permit issuance.

For the purposes of this section, adequate notice shall include information on:

The quality or quantity of waste water introduced to the waste water collection and treatment system; and

Any anticipated impact of the change in the quality or quantity of the waste water to be discharged from the treatment system.

## G. LIMITATIONS FOR INDUSTRIAL USERS

Pollutants introduced into the waste water collection and treatment system by a non-domestic source (user) shall not pass through or interfere with the operation of the treatment system.

## H. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge in accordance with the terms and conditions of this permit and only from **Outfall 001**. Discharges of waste water from any other point source are not authorized under this permit, but shall be reported in accordance with Standard Condition B(5) (Bypass) of this permit.

## I. RE-OPENER CLAUSE

Upon evaluation of test results required by the Special Conditions of this permitting action, additional site specific information or any other pertinent information or test result obtained during the term of this permit, the Department and EPA may, at anytime, and with notice to the permittee, modify this permit to (1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent

may cause water quality criteria to be exceeded, (2) require additional monitoring if results on file are inconclusive, or (3) change the monitoring requirements and/or limitations based on new information.

#### **J. OPERATIONS AND MAINTENANCE MANUAL**

**By October 25, 2006, the permittee is required to submit to the Department an updated Operations and Maintenance Manual.**

#### **K. EMERGENCY ACTION-POWER FAILURE**

An alternative source of power in the event of in the event of utility power outage has been provided by BVC. BVC has an emergency 6.5 kilowatt generator with sufficient capacity to power the pump station, control building, and to power equipment necessary to provide for seasonal disinfection.

#### **M. SEPTIC TANK MAINTENANCE**

To ensure that the individual septic tanks are providing best practicable treatment and achieving desired percent removal levels for BOD<sub>5</sub> and TSS, the permittee will be required to maintain a regular inspection and maintenance schedule for pumping out the solids in all the septic tanks.

The Bayville Village Corporation will be responsible for maintaining a log that documents the date of inspections, comments as to the solids contents and scum layers observed during each inspection, as well as the quantity of septage removed from each septic tank should pumping be deemed necessary. The logs must be kept current and available to the Department for inspection during business hours.